

REMARKS

This application has been carefully reviewed in light of the Office Action dated December 22, 2008. Claims 1-7 and 9-12 are presented for examination, of which Claims 1, 7, and 9 are in independent form. Claims 10-12 have been added to provide Applicant with a more complete scope of protection. Favorable reconsideration is respectfully requested.

Claims 1-3, 5, 7, and 9 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,972,863 (*Parry*). Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Parry*, in view of an alleged admission on page 1, ll. 23-27, of the originally filed specification; and Claim 6 was rejected as being unpatentable over *Parry* in view of U.S. Patent No. 6,137,590 (*Mori*). Applicant respectfully traverses the rejection of those claims and submits that independent Claims 1, 7, and 9, together with the claims dependent therefrom, are patentably distinct from the cited references for at least the following reasons.

Claim 1 is directed to an image processing apparatus. The image processing apparatus includes read means, authentication means, search means, setting means, and output means. The search means are for reading an image on a document that contains image storage information representing a location where an original image of the document is stored. The authentication means are for authenticating whether a user can utilize an original image of the document. The search means are for searching the original image of the document from an image storage device which stores the original image of the document, on the basis of the image storage information when the user is authenticated by the authentication means. The setting means are for automatically setting, in accordance

with an authentication by the authentication means, a destination for the original image of the document to an address of the user authenticated by the authentication means. The set destination is different from the image processing apparatus. The output means are for outputting the original image of the document searched by the search means to the destination set by said setting means.

Among other features of Claim 1 are the setting means for automatically setting, in accordance with an authentication by the authentication means, a destination for the original image of the document to an address of the user authenticated by the authentication means, where the set destination is different from the image processing apparatus. By virtue of this feature, it is possible for an authenticated user to obtain a searched original image by using the user's own personal computer, for example, rather than the claimed image processing apparatus itself. This feature is useful to facilitate setting the destination while avoiding an unintentional setting of the destination.

*Parry* relates to a printing method in which only a printer, and its destination, receive a searched document to print it. Contrary to the statement in the Office Action, nothing in *Parry* teaches or suggests the setting means recited in Claim 1. The Office Action asserts that *Parry* teaches the setting means at col. 4, lines 35-46. However, that portion of *Parry* does not mention any automatic setting of a destination to an address of the authenticated user. Indeed, the Office Action itself does not even assert that *Parry* automatically sets the destination to “an address of the user authenticated by said authentication means, the set destination being different from said image processing apparatus”, suggesting that the Examiner may have misapprehended the actual language of the claim. At most, *Parry* mentions that upon retrieval of the requested document, a user

optionally is presented with a user interface through which the user can manually send the retrieved document to another printer. Nothing in *Parry* suggests that the apparatus does this automatically or even that it could do this automatically.

Moreover, nothing in *Parry* suggests that the other printer is the address of the authenticated user. For both reasons, the Office Action fails even to make a *prima facie* showing of unpatentability.

Moreover, even if the Examiner is considering the retrieval of the document at the image processing device of *Parry* as being somehow an automatic setting of the destination, such setting cannot teach or suggest the above-mentioned feature cited in Claim 1, because the destination is not different from the image processing apparatus, as cited in Claim 1.

For at least these reasons, Claim 1 is believed to be allowable over *Parry*.

Independent Claims 7 and 9 include corresponding recitations and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from independent Claims 1, 7, and 9, and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however,

the individual consideration or reconsideration, respectively, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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